AMENDMENT UNDER 37 C.F.R. § 1.111
Examining Group 1625
Patent Application
Docket No. TPIP039
Serial No. 10/820,382

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	Celia C. Chang
Art Unit	:	1625
Applicants	:	Matthew Peterson, Mark Oliveira
Serial No.	:	10/820,382
Filed	:	April 8, 2004
Confirm. No.	:	8458
For	:	Gabapentin Compositions

fee processed

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. §1.111

A Petition and fee for a one-month Extension of Time through and including August 28, 2005, accompanies this Amendment.

In response to the Office Action dated April 28, 2005, please amend the above-identified application as follows:

compounds and compositions with any reasonable expectation of success. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.
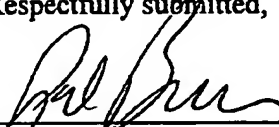
In view of the foregoing remarks and amendments to the claims, the applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 or 1.17 as required by this paper to Deposit Account 50-2626.

The applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

By: _____

August 23, 2005
Transform Pharmaceuticals, Inc.
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Paul Burgess, Patent Agent
Reg. No. 53,852

Attachment: Davies publication (*The Pharmaceutical Journal*, 2001, 266:322-323)

United States Patent and Trademark Office
         - Sales Receipt -

09/09/2005 CBETANCO 00000003 502626   10820382

01 FC:2201   400.00 DA
02 FC:2202   475.00 DA

PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2003

Application or Docket Number: 10 820382

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	2 1	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	2 / minus 20 =	1
INDEPENDENT CLAIMS	7 minus 3 =	4
MULTIPLE DEPENDENT CLAIM PRESENT		☐

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐

	RATE	FEE
BASIC FEE		385.00
XS 9 =	9	
X43 =	172	
+145 =		
TOTAL	566	

OR OTHER THAN SMALL ENTITY

	RATE	FEE
BASIC FEE		770.00
XS18 =		
X86 =		
+290 =		
TOTAL		

CLAIMS AS AMENDED - PART II

8-23-05

AMENDMENT A

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	40	Minus	21	= 19
Independent	11	Minus	7	= 4
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

SMALL ENTITY

RATE	ADDI-TIONAL FEE
25 XS 9 =	475.00
100.00 X43 =	400.00
+145 =	
TOTAL ADDIT. FEE	875.00

OR OTHER THAN SMALL ENTITY

RATE	ADDI-TIONAL FEE
XS18 =	
X86 =	
+290 =	
TOTAL ADDIT. FEE	

AMENDMENT B

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total		Minus		=
Independent		Minus		=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

RATE	ADDI-TIONAL FEE
XS 9 =	
X43 =	
+145 =	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
XS18 =	
X86 =	
+290 =	
TOTAL ADDIT. FEE	

AMENDMENT C

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total		Minus		=
Independent		Minus		=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

RATE	ADDI-TIONAL FEE
XS 9 =	
X43 =	
+145 =	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
XS18 =	
X86 =	
+290 =	
TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.